



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 13.23

Subject: Search of Delinquent Youth

Supersedes: DCS 13.23, 02/01/01

Local Policy: No

Local Procedures: No

Training Required: No

Applicable Practice Model Standard(s): Yes

Approved by:

Effective date: 02/01/01

Revised date: 03/01/05

Application

To All Department of Children's Services Case Managers With Probation and Aftercare Responsibilities and Regional Transportation Officers

Authority: TCA 37-5-105, 37-5-106

Policy

All DCS Employees that are trained on conducting searches may conduct searches on delinquent youth and their accompanying property prior to transporting the youth to an agency/facility when there is a perceived threat/danger to the employee, youth or the community.

Procedures

A. Responsibilities of employee conducting a search

1. A search of the delinquent youth shall be limited to a "frisk." When circumstances permit, two other employees shall be present while a search is being conducted. Same gender employees must conduct searches on same gender youth.
2. A search of the youth's property shall include, but not be limited to, opening and inspecting the contents of any package, box, suitcase or other containers in the youth's possession.

3. Respect for the youth and their property must be shown at all times.
4. The employee conducting the search shall make a list of any items confiscated and shall have the youth verify the list by date and their signature. If the youth refuses to sign the list of items, the employee must indicate the facts on the list and date and sign the list.
5. If a youth refuses to submit to a search and there is a perceived threat or danger, law enforcement may be contacted for assistance.
6. Items that a youth may not possess legally shall not be returned to the youth, but handled according to DCS policy [27.21, Contraband](#).

B. Body cavity searches

Body cavity searches **are not** permitted nor shall a youth be required to remove his/her clothing.

C. Documentation

1. The employee conducting the search shall document all pertinent facts concerning searches in TN Kids case recordings.
2. Documentation shall include but not be limited to:
 - a) Employees involved;
 - b) Reasons for the search;
 - c) Location of the search;
 - d) Other persons involved;
 - e) Problems encountered; and
 - f) A list of items confiscated.
3. All documentation or TN Kids recordings shall be maintained in the youth's case file. If a staff member other than the supervising case manager searches the youth, the information shall be documented by e-mail to the supervising case manager.

Forms

None

Collateral Documents

None

Standards

None

Glossary

<i>Term</i>	<i>Definition</i>
<i>Frisk:</i>	A search of a person during which such person is not required to undress (also known as "pat down").